

## **Appendix A: Scoping Summary**

The following comments were received by DNR through letters, e-mails, discussions, and written comments at public meetings (May 14, 2003; October 28, 2003; and January 22, 2004), and individual meetings with interested parties. The summary below has been divided into the primary subjects for which comments were received; these include: management plan, public benefits, boundaries, and general issues.

### **Management Plan**

#### **Comments:**

The DNR should: involve other agencies, such as the Department of Ecology, WDFW, Puyallup Tribe, and King County in developing and implementing the management plan for the site and defining regulatory authority; incorporate existing development guidelines and support modifications from the King County Shoreline Master Program; create a revenue source dedicated to collaborating with other agencies; employ adaptive management strategies; and include interactions with the community to ensure all concerns are addressed.

#### **Response:**

DNR met directly with staff from WDFW, Ecology, Washington Department of Health, and King County Department of Natural Resources to discuss management of the proposed reserve. These meetings helped clarify the existing jurisdictional authorities and how the proposed management plan can work within the existing regulatory framework. The DNR also contacted the Puyallup Tribe about management planning. The Tribe expressed that they do not currently have the resources to actively cooperate in planning activities, but asked to be kept informed of DNR's activities. The DNR met with several local groups (e.g., the Vashon Community Council) and held three public meetings during the development of the management plan. Presently, there are no revenue sources other than finances dedicated by the DNR to manage the aquatic reserve program. The DNR will consider the reviewers' recommendation to create a revenue source dedicated to collaborating with other agencies. This management plan will be reviewed and updated every 10 years. We intend to incorporate adaptive management strategies for the site as our knowledge base improves and as conditions change. The DNR will continue to include the community in the development and administration of the management plan.

#### **Comments:**

The plan should conserve eelgrass and other nearshore habitat. The nearshore is the vital link between our marine and terrestrial environments. Reserve planning should comply with ESA salmon recovery efforts. The SEIS and management plan must identify known baseline conditions for habitats and species within the reserve and identify priority research needs to address critical gaps. The management plan should establish measurable benchmarks and include monitoring requirements to assess progress. The DNR should acknowledge that threats to the habitats and resources within the reserve might arise from conditions or activities outside the reserve. The SEIS should evaluate the benefits of opening up the water passageway at "Portage" between Vashon and Maury Islands and Tramp Harbor and open the salt marsh at "ports" to tidal flow from Tramp Harbor. The management plan should include provisions to update septic and stormwater systems to improve water quality.

**Response:**

Eelgrass is one of several habitats located in the nearshore zone identified for conservation in the management plan. The management plan is supportive of conserving habitats that support ESA species such as salmon as well as species identified on the Washington Department of Fish and Wildlife Priority Habitat and Species list.

Section 5.1.1 of the management plan describes the components that initial baseline monitoring should include. Section 5.1.2 identifies monitoring efforts to assess the effectiveness of the reserve in achieving identified conservation goals. Section 5.4 of the management plan addresses impacts from activities adjacent to the reserve. Section 5.1.3 of the management plan addresses assessing a potential research to assess the opening of Portage and the salt marsh at “ports,” as future habitat restoration. Sections 5.1.1 through 5.1.3 identify research and monitoring for the development of long-term water quality and sediment quality goals.

**Comments:**

The reserve should be managed for low-impact uses. The DNR should examine the impacts of recreational uses. The DNR should study the relationship of the feeder bluffs and nearshore ecology. The management plan should restrict activities that degrade the nearshore environment. When working toward improvements, realize the remaining economic life of the existing structure before requiring changes. The management plan should respect the right to access the reserve for boating, kayaking, sailing, swimming, clamming, fishing, and enjoying the wildlife. There is a need for better access to pump-out stations.

**Response:**

Section 5.0 of the management plan identifies the basic principals for the aquatic reserve and specifically states; “that activities related to new or existing facilities and uses may not create additional environmental impacts to the reserve.” Section 5.2.2.24 of the management plan addresses public use and access, and states that DNR’s management authority only extends to transient activities on state-owned aquatic lands. The management plan relies on existing local and state regulations and good public stewardship practices, discussed in section 5.4, to help minimize impacts originating from actions adjacent to the aquatic reserve and those outside DNR’s management authority (such as fishing and boating). The DNR is proposing that improvements of facilities occurring within the reserve be implemented as the economic life of a structure is realized. The DNR supports continued, responsible public access to the site. The DNR is a proponent of locating properly functioning pump-out stations (Sections 5.2.3.1, 5.2.3.2, and 5.2.3.3) that are available to the public in Dockton and inner Quartermaster Harbor.

## Public Benefits

### **Comments:**

Recognize the value of both the herring and salmon in addition to the economic value of the Glacier Northwest gravel mine. Specific uses such as utility lines, private docks and buoys, marinas, and Glacier's barge-loading dock, all serve important public benefits.

### **Response:**

The DNR will evaluate the public benefits of habitat and resource conservation as well as the economic benefits provided by public services and public uses occurring in and adjacent to the proposed reserve in a separate public benefits review report that will be completed prior to the Commissioner's final decision about the status of the reserve. All existing uses will be reviewed.

## Boundaries

### **Comments:**

Those that supported the reserve preferred the most extensive boundary for the reserve, as it incorporates herring spawning grounds, salmon migratory corridors, drift cell, and the Maury Island Regional Park. The waterward boundary should extend to protect the euphotic zone.

### **Response:**

The DNR is proposing an intermediate boundary option. The proposed boundary includes all of the herring spawning grounds, salmon migratory corridors, east shore drift cell, and the Maury Island Regional Park. The proposed waterward boundary will extend beyond the euphotic zone.

## General

### **Comments:**

The Maury Island area should not be designated as a reserve. The designation process should be restarted to better incorporate stakeholder input. More outreach is necessary to clarify reserve boundary and management objectives. This action would unduly, negatively affect businesses and property owners. The protection afforded by existing aquatic and land management regulations make designation unnecessary.

### **Response:**

The DNR is continuing with a process that includes stakeholder input. Concerns and questions, including those of business and property owners, will be considered through the SEPA public process. The DNR has engaged in discussions with business leaseholders within the proposed reserve since October 2003, and discussions will continue as needed. The DNR does not believe that existing regulations negate the justification to manage the site as an aquatic reserve.

### **Comments:**

Designating the reserve is necessary. Reserve status is important to the ecological integrity of the Puget Sound. The DNR should conserve the quality of our natural resources. Legislators representing Vashon and Maury islands would be willing to work with DNR on management planning for the site. The reserve is worthwhile but should not restrict existing structures, recreation access, or other existing uses of the area. Legal (mooring) buoys should not be eliminated. Some of the comments expressed that the management plan should restrict further

development of docks, buoys, etc., while others stated that these activities should not be restricted in the area.

**Response:**

The DNR established the aquatic reserve program to conserve unique ecological aquatic features throughout the state. The management plan would not limit responsible public recreational uses. The management plan proposes that existing structures decrease their impacts over time. The DNR does not manage mooring buoys and docks installed on private property. The DNR does have management authority of mooring buoys and docks on state-owned land. The management of these uses on state-owned aquatic lands is discussed in the management plan in Section 5.2.1.14. DNR does not manage docks, floats and mooring buoys on private property. However, Section 5.4.3 of the plan recommends voluntary cooperative efforts that can be taken to minimize impacts to the reserve from adjacent private and publicly owned tidelands. The plan recognizes the utility of mooring buoys and directs DNR to work cooperatively in the management and authorization of these uses to ensure proper installation methods and siting that would limit impacts to important conservation features of the site. The DNR will contact local legislators to assist in the development of the management plan.

**Comments:**

The EIS should clarify what management authority DNR has on private lands and discuss the ecological economics of reserve designation.

**Response:**

The management plan and supplemental environmental impact statement (SEIS) will describe DNR's management authority. The public benefits analysis will include a discussion on the value of the habitat and species being proposed for conservation at the site.

In addition, the Maury Island site is located within the Puyallup Tribe's exclusive usual and accustomed area. Therefore it is essential that conservation goals and management standards be established to protect Puyallup tribal interests. The DNR would engage in a government-to-government dialog with the Puyallup Tribe to ensure that their treaty rights and trust responsibilities are upheld